

Notice of Allowability

Application No.

09/688,268

Examiner

J. Derek Rutten

Applicant(s)

MIXER, J. BRUCE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/12/07 After-final Amendment.
2. ☒ The allowed claim(s) is/are 38 and 57 (renumbered 1 and 2).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

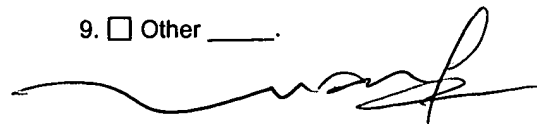
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAI
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This action is in response to Applicant's after-final submission filed 2/12/07, responding to the 1/12/07 Advisory action which reasserted the rejection of claims 38, 41-45, 47-57, 59-61, 63-71, and 73-76. Claims 38 and 57 have been amended, and claims 41-45, 47-56, 59-61, 63-71, and 73-76 have been canceled. Claims 38 and 57 remain pending in the application and have been fully considered by the examiner.

2. Applicant's amendment has overcome the prior rejections under 35 U.S.C. 103(a). Therefore, these rejections are withdrawn.

Allowable Subject Matter

3. Claims 38 and 57 are allowed.

4. The following is an examiner's statement of reasons for allowance:

In the 8/27/03 Office action (see page 6), claims 16-19 and 29-32 were objected to as being allowable if rewritten in independent form. In the 12/1/03 amendment, those claims were cancelled, but claims 53-56 and 66-69 were added to include the subject matter of those claims. Thus, in the 2/10/04 Office action, claims 53-56 and 66-69 were objected to as being allowable if rewritten in independent form. Most recently, the 10/11/06 action objected to these claims as being allowable if rewritten in independent form. Applicant's amendment of claims 38 and 57 has incorporated the subject matter of claims 53-56 and 66-69, respectively.

The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, "wherein said module further comprises a module header and module

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data, wherein said module header comprises a data field for specifying a destination storage location for said module, and wherein said module header comprises a bit pattern that directs a processor in said printer to create a file specified by said data field, delete a file specified by said data field, create a directory specified by said data field, or delete a directory specified by said data field.” These limitations are present in each of independent claims 38 and 57. Thus all pending claims 38 and 57 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (571)272-3703. The examiner can normally be reached on M-F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jdr


TUAN DAM
SUPERVISORY PATENT EXAMINER